



DEPARTMENT OF THE TREASURY  
WASHINGTON, D.C. 20220

March 11, 2019

FOIA No.: 2019-03-005

OASIS No.: 1045650

Tim Timmons  
c/o MuckRock New  
DEPT MR 69771  
411A Highland Ave.  
Somerville, MA 02144-2516

**VIA ELECTRONIC MAIL: 69771-37671413@requests.muckrock.com**

Dear Mr. Timmons:

This acknowledges receipt of your February 23, 2019 Freedom of Information Act (FOIA), 5 U.S.C. § 552, request to the Department of the Treasury. You are seeking communications and documents regarding Norwegian Air DY1933 technology waivers in Iran, Boeing 737MAXLN-BKE technology waivers in Iran, Boeing technology waivers in Iran between December 2018 and the current date related to engine or engine part replacement, or CFM LEAP technology waivers in the same time period. Your request includes applications, approvals, and correspondence regarding this topic. Treasury referred your request to the Office of Foreign Assets Control (OFAC) for processing on March 5, 2019.

OFAC generally processes its FOIA requests on a “first in, first out” basis. We may encounter some delay in processing your request since OFAC is experiencing a substantial backlog of FOIA requests that has adversely affected its response time. We will make every effort to comply with your request in a timely manner; however, there are approximately 200 open requests pending ahead of yours in our processing queue.

For fee purposes, we have determined that you are an “other” requester. The FOIA, specifically 5 U.S.C. § 552(a)(4)(A), and Treasury FOIA regulations at 31 C.F.R. § 1.7, allow us to recover part of the cost of addressing your request. As an “other” requester, you are entitled to the first two hours of search time and the first 100 pages of duplication of responsive records without charge. Therefore, you will be charged the full direct cost of search beyond the first two hours [at the salary rate(s) (basic pay plus 16 percent) of the employee(s) making the search] and duplicating responsive records [20-cents per page], beyond the first 100 pages. **We have construed your request as an agreement to pay up to \$25. You will be contacted before any additional fees are accrued.**

Please be aware that OFAC will neither confirm nor deny the existence of investigative records, pursuant to exemptions (b)(1), (b)(3) and (b)(7)(A) of the FOIA, unless there was an actual investigation that resulted in a designation or enforcement action, or the investigation is publicized. The mere acknowledgement of an investigation could reveal classified information and thereby cause harm to our national security posture. Until an actual designation,

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enforcement action or public acknowledgement of an investigation by Treasury has occurred, release of any information confirming or denying the existence of an investigation could conceivably tip off the subjects of pending investigations.

The mere acknowledgement of an OFAC investigation would allow the subject of the investigation the opportunity to engage in asset flight and change their habits and routines such that an enforcement action or designation would be impossible to obtain. Conversely, if OFAC were to acknowledge that it was not investigating an individual that was actually involved in criminal activity, that information alone may embolden the individual in their continued criminal activities. For those entities and individuals subject to the Kingpin Act [21 U.S.C. § 1904] please be aware that all records or information obtained or created pursuant to the Kingpin Act is excluded from the provisions of the FOIA (5 U.S.C. § 552(a)(3)) pursuant to 21 U.S.C. § 1904(e)(3).

We will query the appropriate OFAC components for responsive records. If responsive records are located, they will be reviewed for determination on release. One of our analysts will respond to your request. We appreciate your patience as we proceed.

If you have any questions regarding this matter, you may email [OFACFOIAOffice@treasury.gov](mailto:OFACFOIAOffice@treasury.gov) or contact the FOIA Requester Service Center at (202) 622-2500, option 3. Please reference FOIA number 2019-03-005 in any future communications.

Sincerely,

Sara Elizabeth Moss, Ph.D., MLS  
Senior FOIA Reviewer  
Information Disclosure and Records Management  
Office of Sanctions Support and Operations  
Office of Foreign Assets Control